

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AUBRY MCMAHON,

Plaintiff,

vs.

WORLD VISION, INC.

Defendant.

CASE NO. 2:21-CV-00920-JLR

DEFENDANT'S MOTION FOR
OVER-LENGTH BRIEFS

NOTE ON MOTION CALENDAR:
APRIL 4, 2023

Pursuant to LCR 7(f), Defendant World Vision requests leave to file over-length briefs in support of its motion for summary judgment due on April 11, 2023. This employment discrimination case against a religious employer involves layers of issues of federal and state statutory interpretation and federal constitutional limitations that require extra space and care to frame appropriately for the Court's consideration.

Prior litigation involving World Vision, a different plaintiff, and only one of the federal statutory issues resulted in substantial published opinions of this Court and the Ninth Circuit. *See Spencer v. World Vision, Inc.*, 570 F.Supp.2d 1279 (W.D.Wash. 2008), *aff'd*, 619 F.3d 1109 (9th Cir. 2010), *as amended on denial of reh'g en banc*, 633 F.3d 723 (2011), *cert. denied*, 565 U.S. 816 (2011). The instant case requires consideration of that same federal statutory issue, plus a state statutory issue, as interpreted by recent

1 decisions of the Supreme Courts of the United States and the State of Washington. *See*
 2 *Bostock v. Clayton Cty.*, 140 S.Ct. 1731 (2020) and *Woods v. Seattle's Union Gospel Mission*,
 3 197 Wash.2d 231 (2021). The instant case also requires consideration, on both the front
 4 and the back ends, of weighty issues arising under the First Amendment.
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6 For good cause shown, World Vision requests expanded briefing limits of
 7 17,500 words (50 pages @ 350 words/page) for opening and opposition briefs, and
 8 7,000 words (20 pages) for reply briefs, "to aid [this Court] in a determination of the
 9 issues at hand." *In re Grand Jury*, 117 Fed.Appx. 527, 529 (9th Cir. 2004). This request is
 10 in line with *California Expanded Metal Products Co. v. Klein*, 2021 WL 4078072, at *1
 11 (W.D.Wash. 2021) (Robart, J.), which granted over-length briefing as follows:
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Brief	Page Limit
Opening Brief	50
Opposition Brief	50
Reply Brief	20

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 17 Such briefing will serve the "ends of justice." *Vawter v. Quality Loan Service Corp. of*
 18 *Washington*, 707 F.Supp.2d 1115, 1120 (W.D.Wash. 2010) (Robart, J.) ("ends of justice
 19 are best served by considering the entire response," despite failure to request leave).
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21 Although Plaintiff (by counsel) elected not to consent to this Motion, any
 22 expanded word (page) limits should apply equally to her cross motion, if any.

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1 DATED this April 4, 2023

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24 I certify that this memorandum contains 348 words, in compliance with the
25 Local Civil Rules
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